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October 14, 2014

VIA ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 10/14/2014

Re: *Oscar Ramirez, et al v. M L Restaurant Corp., et al*
14-cv-4030 (VEC)

Dear Judge Caproni,

This law office has formerly represented Defendants ML Restaurant Corp., M.L. San Jose Enterprises Corp. d/b/a Liberato Restaurant, Manuel Antonio Liberato (s/h/a “Antonio Manuel Liberato”), Rafael Liberato (s/h/a “Fernando Liberato”) Victor Liberato, Nelson Gomez, Lucila Gomez (s/h/a as “Lucy Gomez”), Sarah Vallejo, Sixta Rosaura Gomez (s/h/a “Nana (LNU)”), and Cesar Gomez Azcona (s/h/a “Romeo (LNU)”) (hereinafter and collectively, “Defendants”) in the above-referenced action. We write to advise the Court that our attorney-client relationships have been severed and that we are no longer serving as counsel to all Defendants due to irreconcilable, impaired communications with our clients. Accordingly, we herein request pursuant to Local Civil Rules 1.4 and 1.9 that I and Sanjay V. Nair, an Associate in this law office¹, be permitted to withdraw and be terminated as counsel of record for the Defendants in this action.

This law office is not asserting a retaining lien against Defendants’ files. Please note that lead counsel for Defendants Martin E. Restituyo, Esq. and Argilio Rodriguez, Esq. remain attorneys of record for the Defendants in this action and the related action *Grullon v. Liberato*, 13-cv-07249, also pending before Your Honor. We do not anticipate my withdrawal nor the withdrawal of Mr. Nair to adversely affect any deadlines in the briefing schedule for Plaintiffs’ motion to certify their collective action, Defendants’ Response to the Third Amended Complaint [D.E. 60], the scheduled Show Cause Hearing at 1:00 PM on October 14, 2014, or the scheduled December 5, 2014 Status Conference. No discovery has taken place yet. Our withdrawals under the circumstances and at this time present no prejudice to Plaintiffs, Defendants, or Messrs. Restituyo and Rodriguez.

¹ I believe Mr. Nair’s ECF information may still be erroneously showing him as a member of another law firm which he recently left. He has been made aware of this issue and is currently updating all other cases he is assigned to in the district to reflect his new employment with my firm.

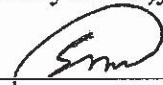
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We thank the Court for its time and attention to this application.

Respectfully submitted,

Kaufman Dolowich & Voluck, LLP

By: 
Jeffery A. Meyer, Esq.

By: 
Sanjay V. Nair, Esq.

CC: All Counsel of Record (*via ECF*)

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The Clerk of the Court is directed to terminate Jeffery A. Meyer and Sanjay V. Nair as attorneys of record in this action and to remove them from the docket.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Date: October 14, 2014